

Jeopardy Assessment
for the Proposed Incidental Taking Permit
of the Loggerhead Shrike, Blanding's Turtle and Northern Cricket Frog
Douglas Property, Green County

Background

Project Information

The Natural Resources Conservation Service (NRCS) is proposing a restoration project in Green County. This project involves re-establishing 11.2 acres of floodplain forest and 40 acres of warm season prairie grasses in existing cropland, and 6.5 acres of floodplain forest in old CRP fields. Ground preparation in old CRP fields will include an herbicide application to kill grasses and broadleaves and provide residual control. The seeding will be completed using a no-till drill prior to June 30th. For additional grass and weed control, two mowings will occur on the field in the year of the planting. The first mowing will occur between July 15th and July 31st and the second mowing will occur between September 1st and September 15th. Strip mowing will consist of cutting vegetation between planted rows (not between trees within rows) and cutting height will be no higher than 6 inches. Additionally, in order to provide residual weed control, one late fall strip spraying application will occur in late October or November following tree dormancy.

Shallow wildlife scrapes will be created by excavating an area less than one acre and shaping the side slopes. Disturbed areas will be broadcast seeded to a quick establishing cool season grass mix to prevent soil erosion. Spoil will be spread 3-4' onto existing cropland in the floodplain or removed from 100 year floodplain. Two snake hibernacula will be constructed by creating a trench 6-8 feet deep, placing boulders and geotextile inside, and covering with excavated material.

Current land use within the project boundary consists of agriculture, old CRP fields, and existing floodplain forest. The agricultural areas are currently in a corn/soy bean rotation and were recently harvested. The old CRP fields are dominated by smooth brome and reed canary grass with encroaching trees. The forested areas contain primarily deciduous species dominated by silver maple. The floodplain reforestation area is located within the floodway of the Sugar River. As the Sugar River has reached flood stage more than 10 times in the last 2 years, this area is highly prone to flooding and crop losses.

Species Information

The loggerhead shrike (*Lanius ludovicianus*), a bird listed as Endangered in Wisconsin, prefers open country with scattered trees and shrubs (usually hawthorne and red cedar), and edge habitat such as open areas in forests. The breeding season extends from early April to late July.

Blanding's turtles (*Emydoidea blandingii*) are listed as a Threatened species in Wisconsin. They utilize a wide variety of aquatic habitats including deep and shallow marshes, shallow bays of lakes and impoundments where areas of dense emergent and submergent vegetation exists, sluggish streams, oxbows and other backwaters of rivers, drainage ditches (usually where wetlands have been drained), and sedge meadows and wet meadows adjacent to these habitats.

The northern cricket frog (*Acris crepitans*), an endangered species in Wisconsin, prefer ponds, lakes, and a variety of habitats along and adjacent to streams and rivers including, marshes, fens, sedge meadows,

low prairies, and exposed mud flats. The species tends to breed in quite water (no or low flow) and may also move from streams and rivers to adjacent wetlands and ponds.

Jeopardy Assessment

This project provides long-term habitat improvement, provides critical habitat for rare, threatened and endangered species, and provides increased stability (permanent cover) in an environmentally sensitive, flood-prone area. To increase the likelihood of success, NRCS is providing management during the establishment phase (mowing and herbicide). The short-term disruption incurred on this site will be minimal. As a result, we anticipate that take of loggerhead shrikes, Blanding's turtles and northern cricket frogs will be low. The department has determined that the proposed project is not likely to jeopardize the continued existence or recovery of the state population of these animals or the whole plant-animal community of which they are a part, if the conservation measures listed below are followed. The benefits to public safety justify this activity. The basis for this assessment is that the large benefit to the species and natural communities in the area far outweighs the small amount of temporary disturbance associated with this project.

Conservation Measures

Blanding's Turtle

- Tree Planting
 - The preferred time for tree planting is May 6th – May 20th. May 6th is typically the last date turtle hatchlings are seen emerging from overwintering; May 20th is the beginning of the turtle nesting season for this year. Mechanical or hand tree planting during this time will avoid take of turtles in the area.
 - If tree planting must occur before May 6th, hand planting trees will minimize the risk of take to hatchling turtles.
 - If tree planting occurs before May 6th by mechanical means, there is a greater risk of take to hatchling turtles.
- All warm and cool season seed planting should occur between May 6th and May 20th. If planting is done after May 20th, it should only occur between 10:00am and 5:00pm as to avoid likely times a female turtle will be present and laying her eggs.
- Mowing
 - Mowing height needs to be 8 inches and above if mowing is conducted March 15th – October 15th in upland habitat (warm and cool season seed plantings). Mowing conducted May 20th – June 5th can only be conducted during the hours of 10:00am – 5:00pm. There are no height restrictions if conducted from October 16th – March 14th. The mower being used should not create suction as to not pull up turtles, nesting birds, or other wildlife that may be present in the field.
 - Mowing conducted in wetland habitat (tree plantings) should only occur when temperatures are below 55 degrees. Mowing height needs to be 8 inches and above if conducted from March 15th – October 15th. There are no height restrictions from October 16th – March 14th. The mower being used should not create suction as to not pull up turtles, nesting birds, or other wildlife that may be present in the field

- Herbiciding
 - The preferred methods of herbiciding are spot, basal bark, and/or cut-stump treatments.
 - If broadcast spraying must be used, the preferred time for herbiciding is May 6th – May 20th when no turtles are nesting and from October 16th – March 14th when the turtles are not active.
 - If broadcast spraying occurs outside of the May 6th – May 20th and October 16th – March 14th windows, there is a greater risk of take to both adult and hatchling turtles.

The *northern cricket frog* is present in the surrounding area of the proposed project site. In order to minimize impacts to the cricket frog, all work will be avoided within 75 feet of open water.

The *loggerhead shrike* is listed as Endangered in Wisconsin and may be present within the proposed 6.5 acres of CRP land where tree planting will occur. If work for the proposed project is completed prior to April 26th, there will be no restrictions on project activities. If work for the proposed project occurs after April 26th, an avian ecologist approved by Sumner Matteson will need to complete a survey of the project area at least 2 days before project activities commence to determine loggerhead shrike presence/absence. If a loggerhead shrike occurs within the field in a shrub or tree and is determined to be nesting, all planned activities must cease until mid-July. If a shrike occurs along or near the field edge, planned activities as described in or near the center of the field may continue.